1021-1847

05-06-2011(



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Mr. Steven Ditto McLaughlin Gormley King Company 8810 Tenth Avenue North Minneapolis, MN 55427

MAY - 6 2011

Dear Mr. Ditto:

Subject: Application for Pesticide Notification (PRN 98-10) Comply with Agency pyrethroid labeling letter dated June 4, 2009 and PR Notice 2007-4 Permethrin 3.2 Homeowner EPA Reg. No. 1021-1847 Your submission dated March 25, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 25, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at <u>pilitt.dana@epa.gov</u>.

Sincerely,

Richard Gebken Product Manager 10 Insecticide Branch Registration Division (7505P)

Please read instructions before com	······································	United States	T		Registrati	00	OPP Identifier Musel
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Amendment	Explain below.	· · · · · · · · · · · · · · · · · · ·		Г	Final printed	l labels in resp	oonse to
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EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

MGK

McLAUGHLIN GORMLEY KING COMPANY 8810 Tenth Avenue North • Minneapolis, MN 55427-4319 U.S.A. 763-544-0341 • 800-645-6466 • Fax 763-544-6437 • www.mgk.com

March 25, 2010

Document Processing Desk (NOTIF - PYRETHROID) Office of Pesticide Programs (7504P) U.S. ENVIRONMENTAL PROTECTION AGENCY Room S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202-4501

Subject: PERMETHRIN 3.2 HOMEOWNER EPA Reg. No. 1021-1847 Pyrethroid Non-Agricultural Outdoor Products Notification Per EPA Letter Dated June, 4 2009 and Notification Per PR-Notice 2007-4

Dear Sir or Madam:

By Notification we are changing the Environmental Hazards and Directions for Use sections to comply with the June 4, 2009 letter from the Environmental Protection Agency. We are also changing the storage and disposal language to comply with the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment".

Via Courier

Enclosed are 2 copies of the label. One copy has changes highlighted.

Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR part 156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto Regulatory Affairs Specialist

Enclosure

Quality Products Since 1902

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MGK®

NOTIFICATION

PERMETHRIN 3.2 HOMEOWNER

MAY 6 201

Termiticide Use: For Outdoor, Homeowner, Post-Construction Use Only

8810 Tenth Avenue N. / Minneapolis, Minnesota 55427-4372 U.S.A. - Telephone (763-544-0341)

McLAUGHLIN

KING COMPANY

GORMLEY

* Permethrin	36.80%
**OTHER INGREDIENTS	63.20%
	100.00%

Cis-trans ratio: Max. 55% (±) cis and min. 45% (±) trans

MGK® - Registered trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN CAUTION

		FIRST AID
1	IF SWALLOWED:	 Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor.
		 Do not give any liquids to the person.
		 Do not give anything by mouth to an unconscious person.
	IF INHALED:	 Move person to fresh air.
		 If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
		 Call a poison control center or doctor for further treatment advice.
	IF ON SKIN OR	 Take off contaminated clothing.
	CLOTHING:	 Rinse skin immediately with plenty of water for 15-20 minutes.
1		 Call a poison control center or doctor for treatment advice.
	IF IN EYES:	 Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
	pneumonia. Consid Treatment is control the product containe	AN: This product contains petroleum distillates. Vomiting may cause aspiration leration should be given to gastric lavage with an endotracheal tube in place. lled by removal of exposure followed by symptomatic and supportive care. Have er or label with you when calling a poison control center or doctor, or going for mation regarding medical emergencies or pesticide incidents, call 1-888-740-

Net Contents Distributed by: McLAUGHLIN GORMLEY KING COMPANY 8810 Tenth Avenue North Minneapolis, MN 55427

EPA Reg. No. 1021-1847

EPA Est. 1021-MN-2

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through the skin. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. People and pets may enter treated area after application has dried.

ENVIRONMENTAL HAZARDS

This product is highly toxic to bees exposed to direct treatment or residues on crops or weeds. Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging.

This product is extremely toxic to fish and aquatic invertebrates. Use with care when apply to areas adjacent to any body of water. Do not apply directly to water. Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fishponds. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters. To protect the environment, do not allow the pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

PHYSICAL OR CHEMICAL HAZARDS Combustible. Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Failure to follow the directions for use and precautions on this label may result in poor pest control, plant injury or illegal residues.

GENERAL INFORMATION

Do not water the treated area to the point of run off. Do not make applications during rain.

This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray may contact home siding (vinyl siding, in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed.

This product may be used to control insect pests outdoors, on ornamentals, lawns, trees, shrubs, and vines in landscape areas, as a perimeter treatment around residential buildings. PERMETHRIN 3.2 HOMEOWNER may also be used to control home-invading insects as a residual spray on outside surfaces, such as, walks, garbage areas, window frames, doorways, porches, and patios. Not for use on plants being grown for commercial sales, or plants grown for seed production or sod farms and golf course turf, or in greenhouses or nurseries.

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All outdoor applications must be limited to spot and crack-and-crevice treatments only, except for the following permitted uses: (1) Treatment to soil or vegetation around structures; (2) Applications to lawns, turf, and other vegetation; (3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

Application Instructions: PERMETHRIN 3.2 HOMEOWNER mixes readily with water and is specifically packaged for residential use as a diluted spray. Use a clean sprayer, such as, a tank type or hose-end sprayer to mix and apply the proper amount of concentrate with the desired volume of water. For perimeter and lawn applications, measure the area to be treated to determine the application volume. For trees, shrubs and flowers apply as a thorough cover spray until foliage is wet. Refer to Specific Application Instructions in the recommended rate Tables for additional instructions.

HOME-PESTS-OUTDOOR USE ONLY

MIXING INSTRUCTIONS

Mix 1.6 fluid oz. (3 1/4 Tablespoons) of PERMETHRIN 3.2 HOMEOWNER per 1 gallon of spray solution to make a 0.5% spray emulsion [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

HOW TO APPLY Spot Treatment

- Apply a 0.5% emulsion as a pin stream low-pressure spray or as a paint-on application with a paintbrush.
- Treat where pests are found or entry points of the structure such as window frames, doorways, porches, patios and foundation.
- Spot-treatment may also be made to garages, garbage cans, and garbage areas.
- DO NOT apply indoors (including crawl spaces).

Perimeter Application

- Spray a 6 to 8 foot wide band of soil around the perimeter of the house. Treat the foundation wall to a height of 2 to 3 feet.
- Use a spray volume of 2 to 10 gallons of 0.5% emulsion per 1,000 square feet. If mulch or debris is present, a higher volume application rate may be needed to ensure adequate coverage.
- Note: residential control will vary depending on exposure of the treated area to weathering conditions (temperature, sunlight, and moisture). Retreat on a monthly schedule while insects are likely to be active.

HOME-INVADING	PESTS (OUTDOOR USE ONLY)
PEST	SPECIFIC APPLICATION INSTRUCTIONS
Ants (Incl. Mounds)	Boxelder Bugs, Elm Leaf Beetles and Gypsy Moth
Armyworm	Caterpillars: Spray tree trunks, building siding or
Bark Beetles	wherever pests congregate. Avoid excess
Bees	application, dampen surfaces thoroughly, but do not
Beetles	let runoff occur.
Borers	
Boxelder Bugs	Borers and Bark Beetles: To prevent infestation of
Carpenter Ants	ornamental trees and wood shrubs, spray the bark to
Carpenter Bees	the point of saturation, but do not let runoff occur.
Centipedes	Repeat treatment every 21 days during early spring
Chinchbugs	until mid-summer.
Cockroaches	
Cockroaches (Asian)	Carpenter Bees: Apply as a pin stream, as a
Crickets	fine/coarse low pressure spray (20 psi or less) as a
Earwigs	spot treatment.
Elm Leaf	
Fire Ants (Incl. Mounds)	Fire Ants (mound drench): Apply 1 to 2 gallons of
Fleas	emulsion to each mound area by sprinkling the mound
Flies	until it is wet and treat a 4-foot diameter circle around
Firebrats	the mound. Use higher volume for mounds larger
Ground Beetles	than 12 inches. For best results, apply in cool
Gypsy Moths (adults & caterpillars)	weather, such as in early morning or late evening
Millipedes Mole Crickets	hours, but not in the heat of the day.
	Sectional Demote contractions of lumber
Pill Bugs Scorpions	Scorpions: Remove accumulations of lumber, firewood and other materials, which serve as
Silverfish	harborage sites, and treat beneath and adjacent to
Sod Webworm	infested sites.
Sowbugs	
Spiders	
Ticks (Including Deer Tick, Western	
Black-legged Tick known to transport	
Lyme disease and Rocky Mountain	i .
Spotted Fever)	
Wasps	

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Wood Destroying Pests

- Localized Areas Outdoors: For the control of insects such as termites, bees, carpenter ants and wood infesting beetles in localized above-ground areas of infested wood around structures, apply a 0.5% emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Apply either as a spray or paint-on application. For termites the purpose or application is to destroy workers or winged reproductive forms, which may be present at the time of treatment. This product is not designed for preventative use and should only be applied when pests appear. This application is not a substitute for soil or foundation treatment. For active infestations inside a structure, consult a licensed Pest Control Service.
- Use a hose-end sprayer or sprinkling can to deliver a coarse drenching spray to treat stored lumber or woodpiles. Stored wood can be used for lumber one month after treatment. Do not apply inside structures.
- Repeat treatment as necessary but not more frequently than once a month. For active termite infestation consult a professional Pest Control Applicator.

HOW TO APPLY Mound Drench Treatment (Ant and Fire Ant Mounds in Lawns)

Use a sprinkling can. Mix 1.6 fluid oz. (3 1/4 Tablespoons) of PERMETHRIN 3.2 HOMEOWNER per 1 gallon of spray solution to make a 0.5% spray emulsion [1 fluid oz. = 2 Tablespoons (T) = 6 Teaspoons (tsp.)]. For large ant mounds, such as Fire Ant mounds, apply 1-2 gallons of a 0.5% emulsion to each mound area including a 4 foot diameter circle around the mound. Apply to smaller mounds until the mound is completely saturated. Use higher water volume for mounds larger than 12".

LAWN PESTS

PERMETHRIN 3.2 HOMEOWNER can be applied to lawns adjacent to or around private homes, duplexes, townhouses, condominiums, house trailers, apartment complexes, carports, garages, fence lines, storage sheds, barns, and other residential areas where pests congregate.

MIXING INSTRUCTIONS

Prepare an emulsion by mixing 0.4 to 0.8 fluid oz. (2 1/2 to 5 teaspoons) of PERMETHRIN 3.2 HOMEOWNER in sufficient volume of water to cover 1,000 sq. ft. (approximately 4 to 25 gallons of water). [1 fluid oz = 2 Tablespoons (T) = 6 teaspoons (tsp.)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

ORNAMENTAL PESTS

Mixing Instructions

Mix 0.04 to 0.08 fluid oz. (= 1/8 to 1/4 teaspoons = 1-2 ml) of PERMETHRIN 3.2 HOMEOWNER in 1 gallon of water for general pest control. Refer to the Ornamental Application Rate Table for additional mixing instructions and for specific directions for stem-infesting beetles. [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp.) = 29.6 ml]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

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HOW TO APPLY

	D APPLICATION RATES FO			{						
SITE	PEST*	RATE	SPECIFIC APPLICATION INSTRUCTIONS		SITE	P	ST	RATE	SPECIFIC APPLICATION INSTRUCTIONS	
Lawns, residential including but not limited to St. Augustine, Bentgrass, Fescues, Buffalograss, Bahiagrass, Bluegrass, Perennial Ryegrass, and Centipede- grass		0.4 to 0.8 Fluid Ounces (2 1/2 to 5 tsp) per 1,000 sq. ft.	Apply using 4-25 gallons of spray volume/1,000 sq. ft. of lawn. Use higher volumes on St. Augustine, Buffalograss, Bermuda and Bahiagrass lawns. Use the higher rate for fast knockdown and increased residual control. Dense and excessive (greater than 3 inches) lawn height and arid conditions may require higher volume application rates. Repeat applications may be necessary (10 to 14 day interval) to control heavy infestations during peak periods of insect feeding. Do not exceed a total of 1.6 fl. oz/1,000 sq. ft. per year (i.e. four (4) applications at the lower rate or two (2) applications at the higher rate).		Ornamental foliage and flowering plants (Incl. Conifers, woody and herbaceous non- edible ornamentals.	Ants Bagworm Cabbage Looper Citrus Thrips Fungus Gnat Gypsy Moth Caterpillars Heliothis spp Lace Bug Leaf Feeding Caterpillars Leaf Follers Mealybugs Nantucket Pine Tip Moth Pine Sawflies Root Weevils (Adult) Spotted Leafminer Tent Caterpillars Whiteflies	Aphids Beet Armyworm Cankerworms Consworm (Incl. Web) and Seed bugs Japanese Beetles Leaffooted Bugs Leaffooppers Lygus Bugs Mosquitoes Oblique Leafroller Plant Bugs Rosy Aphid Rose Chafer Stink Bugs Tarnished Pant Bug Webworms Zimmerman Pine Moth ¹	0.4 to 0.8 Fluid Ounces (1/8 to 1/4 tsp.) (1 to 2 ml) per gal.	Note: Direct application to blooms may cause browning of petals. Marginal leaf burn may occur on Savia, Dieffenbachia and Ptartia Fern. Mosquitoes coming to rest on treated plants will be killed for varying periods of time after treatment, depending on exposure of treated areas to weathering conditions. ¹ To control Webbing Coneworm make first application just prior to peak pollen flight. To control other Coneworms and Seed Bugs, make application 30 days prior to flower closure.	

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TERMITE CONTROL (SUBTERRANEAN)

FOR USE ONLY AROUND EXISTING STRUCTURES. DO NOT USE INSIDE DWELLING. NOT FOR PRECONSTRUCTION USE.

PERMETHRIN 3.2 HOMEOWNER may be used to establish an exterior soil barrier against termites around structures. The chemical concentrate is mixed as an emulsion and adequately dispersed in the soil to provide a continuous exterior barrier between wood in the structure and the termite colonies in the soil.

NOTE: A complete termite barrier may require treatment with other EPA registered products to the inside perimeter of the foundation and to other interior critical areas. For these areas, and if termites are found inside of the home, consult a Licensed Professional Pest Control Service for treatment.

PRECAUTION: When treating adjacent to an existing structure, the applicator must check the area to be treated, and immediately adjacent areas of the structure, for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structures. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean up is completed.

Do not treat soil that is water saturated or frozen in any conditions where run-off or movement from treatment area (site) is likely to occur.

MIXING INSTRUCTIONS

Using a sprinkler can add 3.2 fluid oz. (6.5 tablespoons) to 2 gallons of water (to make a 0.5% emulsion) for each 5 linear feet of treatment to be provided [1 fluid oz. = 2 tablespoons (T) = 6 teaspoons (tsp.)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

HOW TO APPLY

Trench Treatment

Remove all wood debris and wood forms. Around piers, chimney bases, and along foundations of poured concrete, dig a trench 8 inches wide and 4 inches deep. If footing is more than 12 inches deep make holes with a steel rod or pipe one foot apart that extend from the bottom of the trench to the top of the footing. Make holes closer in hard packed clay soils. Never dig below the top of the footing.

Apply a 0.5% emulsion at a rate of 4 gallons per 10 linear feet per foot of depth. Apply half of the emulsion when backfilling the trench. (One quart of PERMETHRIN 3.2 HOMEOWNER will make 20 gallons of 0.5% emulsion and treat 50 linear feet.)

Precaution: DO NOT treat structures that contain cisterns or wells. Soil in the vicinity of wells, cisterns or ponds or structures with sump pumps or French drains should not be treated. For those situations, contact your County Cooperative Extension Agent or consult a commercial pest control service.

FENCE POSTS

Pre-installation: Using a sprinkler can pour 1/2 gallon of 0.5% spray emulsion into the fence post hole and add another 1/2 gallon in mixture with the soil when filling the hole so that all the soil is treated.

Post-installation: Installed poles and posts may be treated by first digging a trench around the post and applying 1 gallon of 0.5% emulsion per one foot depth of trench for posts less than 6 inches in diameter. For larger diameter posts increase the applicator rate to 4 gallons for each 10 linear feet of trench and per ft. of depth.

WHEN TO RE-APPLY

Retreatment for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation, or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors, which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

IMPORTANT! DO NOT use on vegetables or food crops. DO NOT treat pets with this product. DO NOT spray inside dwellings. DO NOT treat soil that is water saturated or frozen or in any conditions where run-off or movement from the treatment area is likely to occur. DO NOT apply when wind velocity favors drift.

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

<u>PESTICIDE STORAGE</u>: Keep out of reach of children or animals. Store in original containers only. Store in a cool, dry place, preferably in a locked storage area and avoid excess heat. Carefully open containers. After partial use replace lid and close tightly. Do not put concentrate or dilute material into food or drink containers. <u>Store away from food and pet food</u>.

PESTICIDE DISPOSAL AND CONTAINER HANDLING

Nonrefillable container. Do not reuse or refill this container .:

If empty:	Do not reuse this container. Do not rinse unless required for recycling.				
	Place in trash or offer for recycling if available.				
If partly filled:	Call your local solid waste agency for disposal instructions. Unless				
	otherwise instructed, place in trash.				
Never pour unused product down the drain or on the ground any indoor or outdoor drain.					

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